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Before
Senate Commerce Committee
Concerning
Firefighting Aircraft Safety
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Introduction

Mr. Chairman and members of the Committee, thank you for the opportunity to discuss, on behalf of the Department of Agriculture and the Department of the Interior, the recent termination of contracts for 33 large air tankers used for firefighting due to concerns over their airworthiness.

Our decision to terminate the contracts was ultimately based on the unacceptable safety record of these large air tankers that has resulted in multiple aviators deaths from airworthiness failures. The land management agencies are responsible for the safety of aviators, firefighters, and the public during firefighting operations and based upon the recommendations of the National Transportation Safety Board (NTSB), there was no other alternative. At the same time, I want to stress that our ability to fight wildfires and protect communities continues at a high level. The reduction of 33 air tankers from our fleet of hundreds of aircraft changes, but in no way diminishes, our firefighting efforts.

Airworthiness

On May 10, 2004, the Forest Service and the Bureau of Land Management terminated the contracts for 33 large air tankers due to concerns presented in the NTSB Safety Recommendations about the airworthiness of the aircraft and public safety. The large fixed-winged air tankers were used in wildland firefighting to drop fire retardant primarily at the beginnings of fires (known as initial attack). Private companies operated the 33 air tankers during the fire season under contracts with the federal agencies.

The decision to cancel the contracts was based on a series of events and the cumulative findings of two reports: (1) the Blue Ribbon panel of aviation experts which issued its findings in December 2002; and, (2) the April 23, 2004 National Transportation Safety Board (NTSB) report on three air tanker accidents.

The Blue Ribbon Panel cited numerous concerns with the reliability of the large air tankers, composed of aging retired surplus military aircraft. These reliability issues presented safety concerns, as well as operational problems. For a time, the Forest Service and Bureau of Land Management thought they could work through these concerns, following the Panel's

recommendations for a more robust inspection and maintenance program, and relying on the efforts of the aircraft owners and the Federal Aviation Administration certification process for private use.

The report of the NTSB validated the Blue Ribbon panel but added critical findings that led us to conclude we could not continue to use these aircraft under the current circumstances. One critical finding of the NTSB report states "...no effective mechanism currently exists to ensure the continuing airworthiness of these firefighting aircraft."

Since most of the large air tankers were designed and used for military operations before their acquisition by contract companies, the NTSB recommendations also indicated that a complete history, including maintenance and inspection records, is not available for many of the air tankers. The average age of the large air tankers is 48 years with some tankers more than 60 years of age. There is a lack of baseline data to determine the level of stress placed on the airframes during firefighting. Further, there is missing documentation for some airplanes about their previous missions flown, and what additional stresses those flights might have put on the structure of the aircraft. Time has caught up with this program and with the air tankers. Since the NTSB identified the Forest Service and Department of the Interior as the agencies responsible for the safety of these aircraft, it was time to make this decision.

Since 1958, more than 130 large air tanker crew members have died. The Blue Ribbon Panel reported that, if ground firefighters had the same fatality rate, this would equal more than 200 on-the-job deaths per year. This is totally unacceptable. The Chief of the Forest Service and the Director of the Bureau of Land Management terminated the air tanker contracts because the risk to aviators' lives is too great and because alternative aircraft are available. We could not continue to use these aircraft, putting aviators and ground firefighters at risk for more catastrophic accidents when we don't have enough data or the ability to confidently assess the risk, nor a program in place to mitigate the risk. We could not subject the same communities we are trying to protect from wildfire to the additional risk of an air tanker breaking apart over homes in the wildland urban interface.

Firefighting Operations

There is a widespread perception that we can drown a wildland fire if we drop enough water and retardant, and that without the large air tankers, homes and forests are at greater risk. We need to be clear - wildfires are put out on the ground. The large air tankers were useful in the initial attack of fires. However, they were only one of the tools fire managers use in deciding how to fight fire safely. Fire retardants are chemicals that impede the progress of wildfire, but do not stop it. Fire retardants slow the fire's growth and rate of spread to give ground forces more time to complete suppression actions. Those ground forces are the key - firefighters put out fires, not air tankers.

Moreover, even though air support is a valuable tool, it extends beyond large air tankers. It includes helicopters and Single Engine Air Tankers (SEATS). Fire intensity levels, determined by factors like wind speed, rate of fire spread, and smoke inversions, determine if aircraft may or may not be the right tool to slow a wildfire. At lower fire intensities, aerial support generally is

not needed and at high fire intensity, fire retardant is not useful. Aviation assets are also affected by weather conditions. There were several days during the California fires that aircraft could not fly because of wind conditions and the associated turbulence in the air over wildland fires.

Over the past few years, we have gradually increased the use of helicopters in firefighting support. The fixed wing air tanker fleet was actually only delivering about 20 percent of all suppressants, including retardant, foam and water. Although fixed wing aircraft can often arrive faster, travel faster, and carry more to a fire, they are limited by the maneuverability limits over mountainous terrain, and proximity of a suitable and secure airport with reload facilities. In many ways, the smaller aircraft and helicopters provide increased flexibility in their use than the larger tankers.

We have the best trained and best equipped federal wildland firefighting forces in the world, and our state and local firefighting partners make us even stronger. Tens of thousands of initial attack efforts are successful every year without any aerial support from large air tankers. In fact, approximately 98% of all fires targeted are suppressed upon initial attack. Firefighters know how to set protection priorities and employ strategies and tactics to be safe and successful in suppressing the wildland fire.

Operations for 2004

Firefighting resources are coordinated at the national level by the National Multi-agency Coordination group at the National Interagency Fire Center in Boise, Idaho. The group is made up of federal agencies and the National Association of State Foresters. Eleven geographic area coordination centers provided information on anticipated needs for the 2004 fire season. The information was developed into the 2004 strategy that addresses the initial and extended attack needs for the nation. This plan will be reviewed and modified on a bi-monthly basis or as the severity of the fire season dictates.

We are currently activating all of our aircraft so they are prepared to assist the ground firefighters. Helicopters and single engine air tankers are pre-positioned throughout the country based on intelligence regarding drought, anticipated weather conditions and expected fire activity. The National Interagency Coordination Center will continue to move aerial assets as needed through this summer's fire season to support the ground firefighters.

Through new contracts, we have increased our fleet of other aerial firefighting support assets in order to reduce the impact of the loss of the large airtankers. Contracts are being negotiated to add large helitankers, which can deliver up to 2000 gallons of retardant and large helicopters with buckets, which can deliver up to 1000 gallons of retardant. Details are being finalized for the short term plan to maintain our success rate suppressing wildfires at initial attack.

Questions have been raised about the use of the large air tankers by the states. The National Multi-agency Coordination group has issued guidance on the use of aviation assets. State contracted large air tankers will be used on federal lands where states have formal protection responsibility and are in operational control of the fire. No federal personnel may be assigned as

state contract officers on an unauthorized tanker, nor may any federal employee be assigned to a position to exercise operational control of an unauthorized tanker.

We have been working with the FAA to develop a protocol for assuring airworthiness of the firefighting craft, and their testimony today reflects our mutual intent in that regard. We are also engaged with the FAA in developing criteria to review the airworthiness of the 33 air tankers that were the subject of the terminated contracts. We expect to finalize a process in the next couple of days, and will share that with the Congress as soon as possible.

The Administration recognizes the need for a long term strategy for firefighting operations, integrated with the overall operations of the affected agencies, and we are working to develop that long term plan. We are currently conducting an evaluation of the cost effectiveness of aviation resources, including tradeoffs between different types of resources, and we expect to incorporate the results of that study as the long term strategy is developed.

Summary

We appreciate the work of the members of the Blue Ribbon Panel, the NTSB, the FAA, and Congress to help us deal with this issue. This will be a challenging fire year, but not because of the absence of airtankers. With the drought, too much fuel on our forests and rangelands, and the expanding wildland urban interface, fires will continue to be tough to suppress. Where appropriate, we will manage wildland fires for resource benefits including fuel reduction, and suppress wildfires that present a danger to lives and property.

During the past several years, we have limped along with an aging air tanker fleet by reducing delivery capabilities, restricting flight hours and pouring tax dollars into enhancing maintenance and inspection programs. Continuing to pay more for less capability in a fleet of unknown airworthiness is a doomed strategy, poor public policy, and bad stewardship of taxpayer dollars. Safety is the most important value of the firefighting community. To continue to use these large air tankers when no mechanism exists to guarantee their airworthiness presents an unacceptable level of risk to aviators, to the firefighters on the ground, and to the communities we serve.

Thank you for the opportunity to testify today on this important safety matter. I am happy to answer any questions you might have.